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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 2290/2017

JANARDHAN RAI

.....Petitioner

Through: Ms. Sima Gulati, Advocate.

versus

STATE OF NCT OF DELHI & ANR

.....Respondents

Through: Mr. Hitesh Vali, APP for the State.

**CORAM:**

**HON'BLE MR. JUSTICE ANISH DAYAL**

**ORDER**

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**05.08.2024**

1. This petition has been filed for setting aside impugned order dated 15.04.2017 passed by the learned Additional Sessions Judge in Crl. Rev. No. 8996/2016.
2. By the said order, the revision filed by the petitioner against the summoning order dated 29.05.2017 passed by the Mahila Court, was dismissed. The summoning order was basis a complaint being C.C. No. 558/2. The revision was dismissed noting that summons on the petitioner had been duly served on two addresses, one where the son of the petitioner was available and the other where the wife of the petitioner was available.
3. Further, the Trial Court had directed that summons be served through the Office of the DCP. The records contain a report of the DCP, South District, as per which, the petitioner was served on 07.12.2015. Noting this, the revision filed by the petitioner on 17.12.2016 has been dismissed.



4. Counsel for the petitioner states that the petition could not have been dismissed merely on the ground of delay and limitation as it was a substantial right. However, notwithstanding the same, the Court has perused the complaint itself which does contain numerous allegations against accused No. 2 (petitioner herein). On that basis, the summoning order of 16.09.2014 stated that there was material available on record for issuing the summoning order. This Court does not find any infirmity in the said order.
5. In any event, seven years have passed and proceedings have gone ahead and the petitioner has been appearing in the said proceedings.
6. In these circumstances, the petition is dismissed.
7. Observations made above in the said order are not on the merits of the matter, but only to address the issue of summoning which was done in 2014.
8. Order be uploaded on the website of this Court.

**ANISH DAYAL, J**

**AUGUST 5, 2024**

Kd/na

[Click here to check corrigendum, if any](#)